

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	DOCKET UW-090655
TRANSPORTATION COMMISSION,)	
)	ORDER 01
Complainant,)	
)	
v.)	
)	COMPLAINT AND ORDER
RAINIER VIEW WATER CO., INC.,)	SUSPENDING TARIFF; APPROVING
)	FILED RATES ON A TEMPORARY
Respondent.)	BASIS, SUBJECT TO REFUND
.....)	

BACKGROUND

- 1 On April 30, 2009, Rainier View Water Co., Inc., (Rainier View) filed with the Washington Utilities and Transportation Commission (Commission) a revision to its currently effective Tariff WN U-2. This filing reduces the treatment surcharge from \$3.29 to \$1.81 per month and decreases the Company’s general revenues by \$308,047 (6.4 percent) per year. This reduction removes the chemical treatment operating and maintenance expenses from the treatment surcharge. The remaining \$1.81 of the treatment surcharge will be used to pay off the principal balance on the loan used to construct the treatment facilities. The Company serves about 17,345 residential and upsize meter customers in Pierce County. The proposed effective date is June 1, 2009.
- 2 Rainier View is not required to notify, and has not notified, customers of the proposed decrease.
- 3 Staff has not completed its review of Rainier View’s books, records and supporting documents for the treatment surcharge. The Company has not demonstrated the proposed rates are fair, just, reasonable, and sufficient. However, because the Company proposes to decrease rates, staff recommends that the Commission allow the proposed rate to go into effect June 1, 2009, on a temporary basis, subject to refund.
- 4 The Commission accepts the proposed rate as a temporary rate and approves the revised rate to become effective on June 1, 2009, on a temporary basis, subject to refund. The Commission may hold public hearings to determine whether the proposed change is fair, just, reasonable and sufficient.

FINDINGS AND CONCLUSIONS

- 5 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including water companies. *RCW 80.01.040, RCW 80.04, RCW 80.08, RCW 80.12, RCW 80.16 and RCW 80.28.*
- 6 (2) Rainier View is a water company and a public service company subject to Commission jurisdiction.
- 7 (3) This matter came before the Commission at its regularly scheduled meeting on May 28, 2009.
- 8 (4) The tariff revision Rainier View filed on April 30, 2009, would decrease rates for service Rainier View provides, and might injuriously affect the rights and interest of the public.
- 9 (5) Although Rainier View has not yet demonstrated that the tariff revision would ultimately result in a rate that is fair, just, reasonable and sufficient, the Commission finds it reasonable, based on Staff's analysis, to approve the proposed rate to become effective June 1, 2009, on a temporary basis, subject to refund.
- 10 (6) In order to carry out the duties imposed upon the Commission by law, and as authorized in RCW 80.04.130 and RCW 80.04.220, the Commission finds it necessary to investigate this tariff filing, which may involve an investigation of Rainier View's books, accounts, practices and activities, to make a valuation or appraisal of Rainier View's property and to investigate and appraise various phases of Rainier View's operations.
- 11 (7) As required by RCW 80.04.130 (4), Rainier View bears the burden of proof to show that the proposed rate is fair, just, reasonable and sufficient. Nothing in this Order is intended to limit the issues as to the fairness, justness, reasonableness and sufficiency of the proposed revenues.

- 12 (8) In addition, the Commission invokes the rights, remedies and procedures contained in the reparations statute, RCW 80.04.220, to the extent the Commission finds that any rate subject to this investigation is excessive or exorbitant.
- 13 (9) Rainier View may be required to pay the expenses reasonably attributable and allocable to such an investigation, consistent with RCW 80.20.

O R D E R

THE COMMISSION ORDERS:

- 14 (1) The tariff revision Rainier View Water Co., Inc., filed on April 30, 2009, is suspended.
- 15 (2) The proposed tariff Rainier View Water Co., Inc., filed on April 30, 2009, shall become effective on June 1, 2009, on a temporary basis, subject to refund if the Commission determines that a different rate will be fair, just, reasonable and sufficient.
- 16 (3) The Commission will hold hearings at such times and places as may be required.
- 17 (4) Rainier View Water Co., Inc., must not change or alter the tariff filed in this docket during the suspension period, unless authorized by the Commission.
- 18 (5) The Commission will institute an investigation of Rainier View Water Co., Inc.'s books, accounts, practices, activities, property and operations as described above.
- 19 (6) Rainier View Water Co., Inc., shall pay the expenses reasonably attributable and allocable to the Commission's investigation, consistent with RCW 80.20.

DATED at Olympia, Washington, and effective May 28, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner